



~~CONFIDENTIAL~~ COMBINED PROCEEDING

For U.S. Patent No. 5,846,435

In the Re-issue application of Haase

Serial No. 09/733,392

Filed December 7, 2000

In the Re-exam application of Haase

Control No. 90/005,710

Filed April 24, 2000

Title: Method for Dewatering Sludge

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**EXAMINER: Chester Barry**

**Group Art Unit 1724**

## Patent Owners Docket

**for Re-issue: 27410/002RI**

**for Re-Exam: 27410/002RX**

### 3'rd Party Requester's Docket:

RE-US 5846435

**SUPPLEMENTAL DECLARATION OF MR. RICHARD A. HAASE**

My name is Mr. Richard A. Haase. I am of sound mind and capable of making this Declaration based on the facts stated herein.

1. I am the President of ClearValue, Inc. and the owner of U.S. Patent 5,846,435, as well as, the pending re-issue application 09/733,392.
2. I believe that I am the original inventor of U.S. Pat. No. 5,846,435 and any reissue claims presented via 09/733,392.
3. I am aware of no: industry publication, U.S. Patent, teaching or use of the teachings within the styled patent application prior to my work in the method of dewatering sludge as presented in the styled patent and application for re-exam and re-issue.
4. It was my knowledge of and my investigation into thermophilic bacteria which lead me to the instant invention and the instant claims for 09/733.392. The teachings of the Examiner's cited references do not lead one to the instant invention. Most specifically, McGrow teaches a solution to two different problems which are for a different application purpose than those of the instant invention and the instant claims. Specifically, coring, as is known by those of ordinary skill in the art, is an over-dosing challenge, which normally leads to under-dosing as an improper solution. This is while the attempted dewatering of biological sludge from a thermophilic digestion process, or the dewatering of thermophiles in general, with a traditional cationic polyacrylamide is a challenge in the basic formation of a floc; therefore, the challenges in relation to the dewatering of thermophiles are very

different and would appear to be very different to one of ordinary skill in the art than any challenge in relation to the coring of mesophilic biological sludge.

5. The teachings in the styled patent application which teach the use of a polyquaternary amine, e.g. polymeric quaternary ammonium compound, as the primary component in the dewatering of a biological sludge from a thermophilic digestion process would lead one of ordinary skill in the art to “try” whatever polymeric quaternary ammonium compound is available as the primary component in the dewatering of a biological sludge from a thermophilic digestion process, as well as, in the dewatering of thermophiles in general. Further, the teachings in the styled patent application, as well as the knowledge of one of ordinary skill in the art, would lead one of ordinary skill in the art to “try” whatever higher molecular weight polymeric quaternary ammonium compound is available, both with and without, a cationic or an anionic polyacrylamide in the dewatering of biological sludge from a thermophilic digestion process or to “try” the same in the dewatering of any thermophiles in general.
6. I am personally aware of the copying of the instant invention by others at the dewatering operation for the wastewater treatment plant of College Station, Texas. I first demonstrated the instant invention and the instant claims in 1996 to: the management of the wastewater treatment plant for College Station, Texas, the sales management of Allied Colloids in order to obtain a dry poly(DADMAC) for College Station Texas, and the management of the wastewater treatment plant in Texarkana, Texas. In 1997, during the dewatering polymer bid in Texarkana no vendor was able to perform on the belt presses in the dewatering of biological sludge from a thermophilic digestion process. This was even though, a I taught the management of the wastewater treatment plant in Texarkana to add a poly(DADMAC), which was stored in one tank, and a cationic polyacrylamide, which was stored in a second tank, to the dewatering belt presses of Texarkana, Texas in the dewatering of biological sludge from a thermophilic digestion process. In 1998, however, Allied Colloids and SNF Holding Company, along with a distributor for SNF Holding Company, presented to the management of the wastewater treatment plant in Texarkana, Texas polymeric quaternary ammonium compounds which were quaternized polyacrylamide copolymers. Due to the size and economic capabilities of these large competitors, my company, ClearValue, was unable to compete once the instant invention and instant claims were copied by these firms.

7. I have reviewed and understand the styled patent application, the claims therein and the proposed claims of the merged re-exam/re-issue application. Further, I acknowledge and understand my duty of disclosure to The United States Patent and Trademark Office of any material information relating to patentability of the styled application.
8. I should be viewed as at least someone of expert skill in the art of water chemistry, biochemistry and thermodynamics, including the dewatering of biological sludge from a thermophilic digestion process.
9. Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant.
10. I hereby declare that all statements made herein are of my own knowledge are true and that all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

**Full Name of Declarant:**

Mr. Richard A. Haase

**Residence:**

4402 Ringrose Drive  
Missouri City, Texas 77459

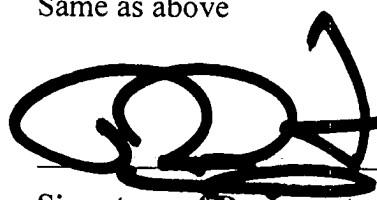
**Citizenship:**

USA

**Mailing Address:**

Same as above

**Date:** January 9, 2008

A handwritten signature in black ink, appearing to read 'Richard A. Haase', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke at the end.

**Signature of Declarant**